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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,709	10/10/2000	Joseph Wayne Forler	RCA88796	4780

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Princeton, NJ 08540

EXAMINER
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SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/581,709

Applicant(s)

FORLER, JOSEPH WAYNE

Examiner

Annan Q. Shang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by **Casement et al (5,969,748)**.

As to claim 1-3 and 5-7, note the **Casement** reference figures 1-2, discloses a television schedule system with access control (col.1, lines 25-43) and further discloses an apparatus for processing and outputting a program signal, comprising:

A data receiver (inherent to RL-16, 18, 20 and 22) for receiving a signal channel selections (figs.1-2H, col.3, line 44-col.4, line 1+), via a remote control or input device;

A tuner (inherent to RL-16, 18, 20 and 22) for receiving a program signal associated with one of a plurality of channels in response to the signal channel selection from a user, the selected one of the plurality of signal channels including a program signal (col.2, line 50-col.3, line 12);

A signal output for providing an output signal derived from the signal program signal to TV-30 (col.3, lines 33-43);

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A auxiliary data decoder (VBI-Decoder of RL-16, 18, 20 and 22) for detecting program related information included in each program signal (col.2, lines 56-65); and

A central processing unit (Processor of RL-16, 18, 20 and 22) operatively connected to the data receiver, the signal input, signal output and the auxiliary decoder, where the central processing unit controls the output signal for preventing user access to program signal upon detecting a current channel selection has been previously selected within a predetermined time period (col.3, line 44-col.4, line 8, line 25-col.5, line 41, line 52-col.6, line 29 and line 48-col.7, line 20), note that the system locks/unlocks channels, by content rating, time periods, e.g., for a single day, weekends only, etc., and relocks the channel if the program is over and further controls the program signal until the program related information has been determined when a new signal source selection is received .

As to claims 8-9, Casement further discloses where the RL-Processor controls TV-30 in a predetermined manner when the predetermined sequence of signal channel selections is received and program related information previously detected in the program signal met as a user selected blocking criteria (figs.2A-2H, col.3, line 4-col.4, line 60, line 61-col.5, line 1+ and col.6, line 1-29).

As to claim 10, Casement further discloses where the access to the restricted access on screen display menu is password protected (col.4, line 61-col.5, line 1+ and col.6, line 1-29).

As to claim 11, Casement further disclose where if the selected program or channel is unacceptable, the RL-Processor controls the output signal for reducing user

access to the program signal by one blanking the television programs that can be received on other channels during the same time (col.4, line 61-col.5, line 1+ and col.6, line 1-29)

Claim 12 is met as previously discussed with respect to claim 1.

Claim 13 is met as previously discussed with respect to claims 1 and 10.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-3 and 5-13 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the independent claim necessitated the new ground(s) of rejection discussed above.

**This Office action is made Final.**

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brain et al (5,548,345) disclose video viewing censoring supervision system.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

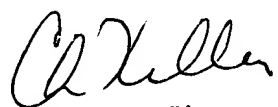
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



**Annan Q. Shang**



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